

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kebba Kanteh,

Civil No. 05-313 (DWF/AJB)

Petitioner,

v.

ORDER

Tom Ridge, Secretary for the Department
of Homeland Security; Mark Cangemi,
Interim Director; Scott Baniecke, Supervisor
of Detention and Removal, Bureau of Immigration
and Customs Enforcement; Jean Crewson,
Interim District Director, Citizenship and
Immigration Services, Department of
Homeland Security,

Respondents.

Gregory S. Bachmeier, Esq., Fishman Binsfeld & Bachmeier, PA, counsel for Petitioner.

Joan D. Humes, and Lonnie F. Bryan, Assistant United States Attorneys, United States Attorney's
Office, counsel for Respondents.

Based upon the Report and Recommendation by United States Magistrate Judge Arthur J.
Boylan dated June 30, 2005, with all the files and records, and no objections having been filed to said
Recommendation,

IT IS HEREBY ORDERED that:

1. The petition for writ of habeas corpus pursuant to and under 28 U.S.C. § 2241 is

DISMISSED WITH PREJUDICE with respect to claims challenging his detention. [Docket No. 1];

2. The petition in this matter shall be **TRANSFERRED** to the Eighth Circuit Court of Appeals pursuant to Section 106 of the REAL ID Act for review of petitioner's claims which challenge the administrative order of removal; and

3. Petitioner Kebba Kanteh's motion for temporary restraining order is **DENIED AS MOOT** [Docket No. 2].

Dated: July 19, 2005

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court